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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/557,834	08/23/2006	Aldino Albertelli	018872.00163	6658

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EXAMINER
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CHAPMAN, JEANETTE E

ART UNIT	PAPER NUMBER
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3633

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/557,834	<b>Applicant(s)</b> ALBERTELLI ET AL.	
	<b>Examiner</b> Jeanette E. Chapman	<b>Art Unit</b> 3633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11,13-16,18-21,24 and 27-43 is/are pending in the application.
- 4a) Of the above claim(s) 19-21,24 and 42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11,13-16,18-21,24 and 27-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

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Applicant elected group I, claim 1-3, 5-11, 13-16, 1-20, 27-41 and 43. The claims of Group II have been withdrawn; therefore claims 19-21 ,24 and 42 have been withdrawn.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3,5-8 , 11, 29-30, 32-41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen(6665997) in view of Lee et al.

claim 1.

Figures 7-8 of Chen shows a method comprising

a) attaching a first skin 2 to a first surface of an open cell foam 9 to form a precursor for a door, window or panel; and

b) attaching a second skin 1, figure 8 to the precursor in a separate step from step a).

Lee discloses prior to attaching the second skin the precursor 1 is modified. It would have been obvious to one of ordinary skill in the art to modify chen to modify the second skin prior to attaching the first in order to provide a means facilitating the modification of the second skin prior to attaching it to the other door elements.

claim 2.

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Chen discloses a method according to Claim 1 wherein the second skin 1 is attached to a second surface of the foam 9, the second being an opposing surface to the first surface.

claim 3.

Lee et al discloses the method according to Claim 1, wherein an adhesive 45 is used to attach the second skin 40 or 42 to the precursor. I would have been obvious to attach the skins by adhesive to provide a cohesive unit preventing dislodgment of various elements.

claim 5.

Lee discloses the method according to Claim 1, wherein, prior to attaching the second skin to the precursor, the precursor is shaped, trimmed, routed, drilled, varnished, coloured, or waxed.

Claim 7.

Chen discloses a method according to Claim 1, wherein, prior to attaching the second skin 1 to the precursor, the precursor is adapted to receive one or more fittings 7 for the door, window, or panel. See column 2, lines 57-67.

claim 8.

Chen discloses a method according to Claim 7, wherein the one or more fittings are selected from the group consisting of: a handle, a lock, a plate, a catch and a hinge. See column 2, lines 57-67.

claim 11.

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The location of attachment of the second skin verses the first skin is not viewed as critical to the integrity of the door structure or has been shown to cause a problem in the door structure.

Claim 43:

Lee discloses the second element may be constructed of preformed plastic element .  
see column 3, lines 35-47.

claim 29.

Lee et al discloses a method according to claim 27, wherein prior to attaching the second precursor to the first precursor, the first precursor is modified. It would have been obvious to modify the method of chen to provide a facilitating means to form the door panel.

Claim 30.

Lee discloses a method according to Claim 29, wherein, prior to attaching the second skin to the precursor, the precursor is shaped, trimmed, routed, drilled, varnished, coloured, or waxed.

claim 32.

Chen discloses a method according to Claim 29, wherein, prior to attaching the second skin to the precursor, the precursor 7 is adapted to receive one or more fittings for the door, window, or panel.

claim 33.

Chen discloses a method according to Claim 32, wherein the one or more fittings are selected from the group consisting of: a handle, a lock, a plate, a catch and a hinge.

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claim 34.

Chen discloses a method according to claim 27, wherein step b) is effected in a separate step after steps a). See figure 8.

claim 35-36.

Chen does not disclose a method according to Claim 1, wherein step b) is performed at least one hour or 24 hours after step a) is not viewed as critical in that none criticality or relevancy has been shown as long as the door elements are shown to remain attached unless assumed other wise. The very fact that there is a variation in times as claims verifies that no one time or range of time is critical to the integrity of the method.

claim 37.

The location of attachment of the second skin verses the first skin is not viewed as critical to the integrity of the door structure or has been shown to cause a problem in the door structure.

Claim 38.

Minke discloses a method according to Claim 27, wherein at least one of the precursors further comprises reinforcing means.

claim 39.

Minke discloses (Previously presented) A method according to Claim 38, wherein the reinforcing means is a mesh.

claim 40.

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Chen discloses a method according to Claim 27, at least one of the precursors further comprising a frame 3-6.

claim 41.

Chen discloses a method according to Claim 40, wherein the frame is a wooden frame.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chen(6665997) in view of Lee et al. and further in view of Jasperson.

claims 9-10

Lee does not disclose a method according to Claim 1, wherein step b) is performed at least one hour or 24 hours after step a) is not viewed as critical in that none criticality or relevancy has been shown as long as the door elements are shown to remain attached unless assumed otherwise. The very fact that there is a variation in times as claims verifies that no one time or range of time is critical to the integrity of the method.

Jasperson discloses a method according to Claim 1, wherein step

b) is performed at least one hour after step a). see 8 hours curing time in column 7 also see column 8

Claims 6, 13-16, 18 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over in Chen in view of Lee and further in view of Minke et al

Claims 6 and 31.

Minke et al discloses a glazing applied to the skin. It has been considered immaterial and irrelevant when this glazing occurs since either method gives the door's final product aesthetic appeal

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Minke et al discloses one or more fittings 50 for the door, window, or panel . It has been considered immaterial and irrelevant when this preparation for receive the fitting occurs since either method gives the door's final product of a door or handle to open and close the same

Minke et al discloses a method according to Claim 7, wherein the one or more fittings are selected from the group consisting of: a handle, a lock, a plate, a catch and a hinge.

Claim 13.

Minke et al discloses a precursor according to Claim 12, further comprising reinforcing means 36.

claim 14.

Minke et al discloses a precursor according to Claim 13, wherein the reinforcing means is a mesh.

Claim 18.

Chen discloses a method of forming a door, window or panel, the method comprising attaching a first precursor 2 to a second precursor 1, wherein each of the first and second precursors comprises a skin attached to one face of an open cell foam 9, and Jasperson teaches not to an opposing face of the open cell foam. See column 7, line 37 through column 8, line 17.

claim 15.

Chen discloses a precursor according to Claim 18 further comprising a frame 3,5.

claim 16.



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Chen et al discloses a precursor according to Claim 15, wherein the frame is a wooden frame.

It would have been obvious to one of ordinary skill in the art to modify Chen to include the lightweight concrete to increase the strength of the door.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen.

claim 27.

Chen discloses a method of forming a door, window or panel, which method comprises:

(figure 8)

a1) attaching a first skin 2 to a first surface of an open cell foam to form a first precursor for a door, window or panel, which precursor has an exposed foam surface;

a2) attaching a second skin 1 to a first surface of an open cell foam to form a second precursor for a door, window or panel, which precursor has an exposed foam surface;

and

b) attaching the exposed foam surface of the first precursor 2 to the exposed foam surface of the second precursor 1 to form a door, window or panel.

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Claims 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over in Chen in view of steel

claim 28.

Steel discloses a method according to claim 27, wherein an adhesive is used to attach the second precursor 8 to the first precursor 10. It would have been obvious to use the adhesive to bond door parts together in order to provide a strong cohesive unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E. Jeanette whose telephone number is 571-272-6841. The examiner can normally be reached on Mon.-thursday, 8:30-6:00, every fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on 571-272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JEANETTE CHAPMAN/  
PRIMARY EXAMINER  
ART UNIT 3633

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